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Department of Agriculture
Bureau of Biological Survey
Washington, D. C.
General MemorandumLIBRARY
February 16, 1932. ~~VED~~Use of personally owned automobiles on a mileage
basis in performing official travel.

Effective February 1, 1932, all Bureau letters of authorization providing for use of personally owned automobiles on a mileage basis were amended. In order to discuss and explain the various provisions of the amendment, it is quoted herewith:

"Effective February 1, 1932, you and your assistants are authorized to use your privately owned automobiles for official travel and receive compensation therefor at a rate not to exceed five (5) cents per mile when such use will be more economical and advantageous to the United States. As the economy and advantage to result from said use have not been determined in advance by the chief of this bureau, a showing of the economy and advantage must be attached to expense vouchers covering such use. See paragraph 12a of the Standardized Government Travel Regulations.

"For the purpose solely of comparing expenses incurred as a result of using personally owned automobile, as authorized herein, with expenses which would have been incurred had travel been performed by common carrier or other usual mode of transportation you and such of your assistants as are allowed actual subsistence expenses will be regarded as operating on the basis of five dollars per diem in lieu of actual subsistence expenses for the periods involved in the comparison."

The reduction in the rate of mileage from seven cents to not to exceed five cents per mile effected by this amendment was made in accordance with Bureau General Memorandum Bi-1178, of December 22, 1931. The remaining provisions of the amendment are based on decisions of the Comptroller General interpreting paragraph 12a of the Standardized Government Travel Regulations and the Act approved February 14, 1931 (Appendix XI, page 75 of said Regulations). In one of the more recent decisions of the Comptroller General on the subject of the use of personally owned automobiles (decision, dated October 24, 1931, to the Secretary of Commerce, involving use by field employees of the Bureau of Fisheries of personally owned automobiles under general letters of authorization, 11 Comp. Gen., 155) he ruled:

"The act of February 14, 1931, and the Standardized Government Travel Regulations, paragraph 12-a, contemplate that the question of to the economy and advantage to result to the Government from the use of personally owned automobiles by officers and employees traveling on official business would be determined, and authority for such mode of travel granted, in advance in each particular case by the head of the department or establishment concerned, or other administrative official to whom such authority had been properly delegated, and that blanket authority to officers or employees for a definite or indefinite period would not be granted. It is recognized, however, that there are circumstances under which general travel orders necessarily must be resorted to covering those cases, which, by the very nature of their duties, are required to travel from official stations repeatedly and/or upon the happening of unforeseen events necessitating prompt action.

"The travel of officers in charge of fish-cultural and biological stations of the Bureau of Fisheries would appear from your submission to be among those for whom an exception might be made by which general authority for the use of the officer's own automobile at a given mileage rate may be granted in advance by the head of the department or establishment and the determination of the question of economy and advantage of such mode of travel be made after the travel had been performed, and in connection with the examination of the travel voucher and the evidence thereto attached. A-6311, July 7, 1931. See, also, decision to you of September 4, 1931, A-38297.

"Accordingly, it is suggested that the insertion in, or addition to, the travel orders extending to officials in charge of fish-cultural and biological stations be worded somewhat as follows:

"You are authorized to use your privately owned automobile for official travel and receive compensation therefor at the rate of 5 cents per mile when such use will be more economical and advantageous to the United States. As the economy and advantage to result from such use has not been determined in advance by the head of this department, a showing of the economy and advantage should be attached to your expense voucher. See paragraph 12a of the Standardized Government Travel Regulations."

The bureau relies on the decision in question as justifying the continued use in its field services of general letters of authorization providing for use of personally owned automobiles on a mileage basis in performing official travel when such use will result in economy and advantage to the Government, and the amendment, above quoted, incorporates, it will be noted, practically the identical wording suggested by the Comptroller General for general authority to so use personally owned automobiles.

Particular attention is called to the requirement of the amendment that "a showing of the economy and advantage (of the use of personally owned automobile) must be attached to expense vouchers covering such use." This is the most important part of the amendment so far as field employees of the bureau using personally owned automobiles in performing official travel are concerned, and strict compliance therewith will be required beginning with February 1932, expense vouchers.

Previous to July 1, 1931, when the department of Agriculture was operating under its special automobile mileage act, a properly executed department form 22 (Statement of Travel by Motor Vehicle) was, in most instances, accepted by the General Accounting Office as constituting an adequate showing of the economy and advantage resulting from the use of personally owned automobiles as covered by such form. Since July 1, 1931, however, when the Act of February 14, 1931, went into effect and paragraph 12a of the Standardized Government Travel Regulations became controlling on this and all other departments of the Government, the General Accounting Office has clearly indicated by numerous suspensions and otherwise that form 22 in itself, even though carefully prepared so as to give all the data contemplated by such form, does not furnish the specific information of the economy and advantage resulting from the use of personally owned automobile required. For some months now, in order to expedite payment

of field employees' expense vouchers, the several operating divisions of the bureau, and especially the division of rodent and predatory animal control and the division of game and bird conservation, have in many cases where the itineraries of the employees involved afforded the necessary data, prepared statements as to the economy and advantage resulting from the use of personally owned automobiles to supplement the forms 22 supporting such expense vouchers. In other instances, because of inadequacy of information in the bureau, it has been necessary to return the expense vouchers to the employees involved for the preparation of the supplemental statement required. Hereafter it should not be necessary to resort to either of these alternatives, but a clear showing of economy and advantage resulting from the use should accompany the covering expense voucher.

In connection with the preparation of the "showing of economy and advantage", please note:

Department form 22 (Statement of Travel by Motor Vehicle) made out in accordance with paragraph 105 (a) of the Standardized Government Travel Regulations should continue to be used. The entries, by dates of the mileage for the month on form 22 should be followed by the required "showing of economy and advantage", as many additional sheets of form 22 being used as may be necessary for the purpose. (If preferred, the "showing" may be made in a separate memorandum which should be attached, in duplicate to form 22). In preparing the "showing", be specific, give facts and, if necessary, figures, to establish the economy and advantage resulting from use of personally owned automobile, but do not go into unessential details and where practicable, in order to avoid repetition of the same explanation, group items of travel according to reasons relied upon to justify use of personally owned automobile. As a matter of fact, use of personally owned automobile on a mileage basis in performing official travel can be justified only by showing (1) that points visited are not accessible by common carrier and that the nature of the work being conducted is such that it can be performed efficiently only by automobile; or (2) that, while points visited are accessible by common carrier, it is quicker and cheaper to use automobile. Fortunately a large portion of the travel performed in personally owned automobiles by field employees of this bureau involves travel to points not accessible by common carrier which can be performed expeditiously and efficiently only by automobile, and it is believed that as regards such travel, a showing of the character of the duty being performed, that the points visited were not accessible by common carrier, and that such points could be expeditiously and efficiently reached only by automobile will satisfy the General Accounting Office of the economy and advantage to the Government resulting from the use of personally owned automobile without a showing of the specific saving in the case (although if such showing were required, it is supposed it would be a simple matter to show prevailing rates for hire of automobiles from parties outside of the Government service, and that such hire would cost considerably more than the mileage compensation allowed employee for use of personally owned automobile).

Going back to the grouping of items of travel according to the reason justifying use of personally owned automobile, suppose for the month of February various items of travel appear on an employee's form 22 which he seeks to justify in his "showing of economy and advantage" as involving travel to points inaccessible by common carrier. Such items should be grouped and enumerated by dates on which the travel was performed as shown

on form 22, and the localities visited and the purpose of the travel should be stated. For example, "showing" as regards these items might read somewhat as follows:

On February (enumerate dates) travel as shown on the above statement (or attached statement if separate memorandum is used) was performed by me while engaged in predatory animal control work (or rodent control work or enforcement of the Federal game laws, or as the case may be) supervising trapping operations (or supervising poisoning operations, or patrolling, etc.) on ranches, (or in the mountainous sections, or on _____ National Forest, or in the lake region, or along the _____ River, etc.) in _____ County, _____, points inaccessible by common carrier, which could be reached expeditiously and efficiently only by automobile.

The above is merely a suggestion. It should be modified or amplified to cover the actual conditions of travel, care being exercised to show so clearly the nature of the activity being conducted and the character of the localities in which the travel is performed that the practical necessity for using automobiles is evident. Do not permit the phrase "points not accessible by common carrier" to become stereotyped, but use it only when the main purpose of a trip is to reach points inaccessible by common carrier and most of the travel involved is actually between such points. Do not, for instance, where you leave your official station by automobile, the main part of the trip involving travel to a city or town, accessible by common carrier, and return to your official station, classify the trip as involving travel to points not accessible by common carrier, simply because the travel from or to your official station is interrupted by short side trips to points not accessible by common carrier, or because short trips to points inaccessible by common carrier are made from the city or town to which you have traveled. Such a trip should be classified (see below) as one between points accessible by common carrier, and justified by showing the mileage, at the rate claimed, for use of personally owned automobile, costs less than common carrier fare, plus hire of special conveyance to make the side trips, etc.

Items involving travel by personally owned automobile between points accessible by common carrier cannot be grouped, except as regards trips between the same points, but each such item must be covered by its own "showing of economy and advantage." Here are some of the points to be considered in preparing "showing" in cases of this kind. In comparing cost of travel by common carrier with cost of travel by personally owned automobile used on a mileage basis, include under cost of travel by common carrier such of the following enumerated items of expense as it would have been proper or necessary to incur had travel been by that means: Taxicab fares (par. 8(a) Standardized Government Travel Regulations); railway, bus, steamer, or other common carrier fares; Pullman or steamer stateroom fares; hire of special conveyance (par. 11, Regulations above cited); portage (paragraph 99 (c), (d), (e), and (f), Regulations above cited); per diem in lieu of actual subsistence expenses for period that would have been required to make trip by common carrier. Under cost of travel by personally owned automobile will appear only two items, mileage covering compensation for number of miles actually traveled at rate per mile (not to exceed five cents) claimed, and per diem in lieu of actual subsistence expenses for period required to make trip by automobile (in accordance with second

paragraph of amendment above quoted, in making comparison of cost of travel by common carrier with cost of travel by automobile, subsistence will be computed as on a per diem basis either at the rate of per diem prescribed by letter of authorization under which employee involved operates, or, if such employee operates on an actual subsistence basis, at the rate of \$5 per diem; in the latter case, however, reimbursement for actual subsistence expenses incurred during trip to be claimed in employee's expense account).

It having been established by comparative statement above indicated that it cost less to make a particular trip by automobile than it would have cost to make the same trip by common carrier, that is, the economy of travel by automobile having been shown, the advantage to the Government from such use may, in most instances, be considered as resulting from said economy. Nevertheless, any additional advantage, such as the more expeditious and efficient performance of duty, should be set forth in the "showing of economy and advantage." In this connection attention is called to the fact that in any case where effort is being made to justify the use of personally owned automobile, whether between points accessible by common carrier, or between points not so accessible, any special circumstance of the trip, such as the necessity of carrying field equipment for immediate use which could not be transported by common carrier as personal baggage, or being accompanied by another employee, etc., should always be shown.

It is difficult, if not practically impossible, to justify use of personally owned automobile on a mileage basis between points accessible by common carrier, unless it can be shown that such use effects a saving of Government funds. It is for this reason that Bureau General Memorandum Bi-1178 contains the provision "that in any instance where an entire trip involves travel between points accessible by railroad or other common carrier and where travel by personally owned automobile is of advantage to the Government chiefly in respect to expediting performance of duty, mileage rate of not to exceed three and one-half cents per mile will be allowed, but in no case will a rate that will result in payment of total mileage greater than the actual expenses of the same travel by common carrier be allowed." In other words, if, to expedite performance of duty, automobile is used in making an entire trip (for example, from official station direct, that is, without side trips, etc., to another city or town accessible by common carrier, and return direct to official station) and no saving otherwise (in subsistence, shorter distance, and the like) can be shown to result from such use, then in order to effect a saving, rate of mileage for use of personally owned automobile at not to exceed three and one half cents per mile (slightly less than the generally prevailing railroad rate of 3.6 cents) should be claimed, or, if the trip could have been performed by railway or by common carrier other than railway (bus, for instance) at a rate of less than three and one half cents per mile, then mileage on automobile should be claimed at such rate per mile as will result in claim of total mileage not in excess of the actual expenses of the same travel performed at lowest common carrier rate available for the trip. Do not, in a case of this kind, show, as has heretofore been the proper practice, mileage on personally owned automobile at maximum rate per mile authorized, and claim in your expense account only the equivalent of expenses of travel by railway or other common carrier, but claim and enter on form 22 mileage for the trip at the rate of three and one half

cents per mile, or at such rate less than three and one-half cents per mile as may be necessary not to exceed actual expenses of travel at lowest common carrier rate available for the trip. Amendment to letters of authorization above quoted has been purposely worded so as to provide for automobile mileage "at a rate not to exceed five (5) cents per mile" to take care of cases of the kind under discussion, and all other cases where it is necessary to reduce mileage on use of automobiles to a rate less than five cents per mile in order to establish the economy and advantage of such use. However, since, as a general proposition, employees should use their personally owned automobiles in performing official travel principally in those cases where the economy and advantage to the Government of such use at the maximum rate of five cents per mile can be demonstrated, there should be comparatively few instances where it will be necessary to claim mileage at a less rate. In this connection special attention is called to the fact that only actual expenses of operation may be allowed in those instances where automobile is used for reasons of personal preference only (See Bureau General Memorandum Bi-1178).

Particular attention is also invited to certain decisions of the Comptroller General which relate to use of personally owned automobiles on a mileage basis at, or in the vicinity of, official stations of employees. The special mileage act of the department of Agriculture authorized the use of personally owned automobile at official stations under the same conditions as applied to travel by such means away from official station. The Act approved February 14, 1931, which repealed the special mileage act of this department, reads, however, in part "that a civilian officer or employee engaged in necessary travel on official business away from his designated post of duty" and paragraph 12 (a) of the Standardized Government Travel Regulations based on the Act approved February 14, 1931, provides in part "mileage * * * may be allowed a civilian officer or employee traveling by his own motor cycle or automobile on official business away from his designated post of duty or official station." It is clear from these quotations that mileage on personally owned automobile used at an employee's official station (that is, in going from one point to another at official station) may no longer be allowed, and if decisions of the Comptroller General above referred to covered such travel only they would present no difficulty in application. The complication arises from the fact that these decisions apply this rule (that mileage on personally owned automobile used at official station is not allowable) to travel away from official station, but to points more or less in the vicinity of such official station. For example, in a case involving use of personally owned automobile by an employee of the Bureau of Agricultural Economics, Department of Agriculture, in traveling from San Francisco (employee's official station) to Union Stockyards located in San Mateo Co., approximately two miles east of South San Francisco and to various other points in the vicinity of San Francisco, but all beyond the city limits of that city, the Comptroller General refused to allow automobile mileage for the travel involved, and ruled: "It has been held repeatedly that travel from home and headquarters for a distance of four or five miles--especially when having his own conveyance for transportation--is substantially duty at headquarters, and does not place such an employee in a travel status. * * * These rulings have applied to travel between * * * St. Paul and Minneapolis, Minnesota, a distance of 11 miles;

Chicago and Union Stock Yards, Chicago, a distance of many miles; Omaha, Nebraska, and Council Bluffs, Iowa, 4 miles; St. Louis, Missouri, and East St. Louis, Illinois, 5 miles." In confirming decision in this case, upon appeal, the Comptroller General said:

"This office has repeatedly held that claims upon a mileage basis or otherwise incurred in proceeding from point to point within the confines of an employee's official station in his personally owned automobile will not be allowed regardless of the number of miles - whether within or without the city limits.

"The allowance of claims of this character will at all times depend upon the relation of the duties to be performed, the actual facts and circumstances as to the post of duty, and not as to the number of miles or time involved, and this is necessary because of the fact that no authority exists for the increase of an employee's compensation by the method of allowing a mileage in going to and from work. All such cases must be determined by the facts and circumstances applicable thereto."

It will be appreciated that no definite instructions can be given as to how to justify mileage involving use of personally owned automobile in the vicinity of an employee's official station, since, as the Comptroller General states: "All such cases must be determined (by him) by the facts and circumstances applicable thereto." Frequent, especially anything like daily, trips between official station and nearby metropolitan areas, or suburbs, even if entirely beyond the city limits of such official station, are almost sure to be questioned. And note specially that if questioned, it will not be sufficient to show that the travel by personally owned automobile was performed more economically and efficiently by that means than it could have been performed by any other means, but it will be necessary also to show to the satisfaction of the Comptroller General that the travel was not in fact performed at what he may regard as the official station of the employee. It will, of course, be understood, that what has just been said applies particularly to trips from official station to nearby points and return to official station (especially to trips from an employee's residence and return to such residence) in the same day--that is trips which the Comptroller General regards not as involving travel away from official station but rather in nature of trips to and from place of duty at official station. The only thing that can be suggested in cases of this kind, which it is hoped will be few, is that emphasis be placed on the nature of the work being conducted and the uncertainty, if such is the case, of exact destination when trip is begun (in patrolling, for instance). All unnecessary reference by name to towns, etc., in the immediate vicinity of official station should be omitted from form 22 unless travel actually involved visits to such places and not to nearby rural communities. It will be useless for any employee to submit in his expense voucher items involving mileage on personally owned automobile used in travel between points within the city limits of his official station, as such items will have to be disallowed in the bureau's office of accounts. Furthermore if mileage items involve trips from official station to points outside the city limits of such official station but in the same metropolitan area, particularly if they are of frequent or daily occurrence, it may be necessary for the bureau's accounting office to suspend such items and ultimately they may have to be submitted to the General Accounting Office for direct settlement.

There follows the gist of several other decisions of the Comptroller General on the subject of the use of personally owned automobile on a mileage basis in performing official travel which are of interest to employees of this bureau:

Mileage allowed in these cases is, quoting from the Act approved February 14, 1931, "in lieu of actual expenses of transportation" (note the difference between this language and that used in the department of Agriculture's special mileage Act which read "in lieu of actual operating expenses") and where such mileage is allowed no other expenses of travel for the trip involved, such as portorage on personal baggage on arriving at or departing from hotels, should be claimed; also where personally owned automobile is used to obtain meals or lodging (par. 60 Standardized Government Travel Regulations), since an item of subsistence and not transportation is involved, mileage on automobile may not be allowed but only reimbursement for actual expenses of operation (cost of gasoline and oil used). Under the Act approved February 14, 1931, and par. 12 (a) of the Standardized Government Travel Regulation, as interpreted by the Comptroller General, toll, ferry, storage, and towage charges on personally owned automobile used on a mileage basis are not reimbursable from Government funds. Note, however, that in the case of ferriage, mileage on automobile for the distance ferried may be properly claimed although automobile is not operated under its own power for such distance.

The use, in legitimate cases, of personally owned automobiles in performing official travel is appreciated by the bureau, and nothing contained herein is to be regarded as constituting an effort to discourage such use. The sole purpose of this memorandum is to furnish employees with information which it is hoped will prove helpful in guiding them in the proper use, under paragraph 12 (a) of the Standardized Government Travel Regulations, of personally owned automobiles, and in stating their accounts covering such use.

W P Sheldon
Acting Chief.